

accidental injuries arising out of and in the course of her employment with the respondent on the dates alleged.

This appeal involves three (3) docketed claims alleging three (3) separate accidents or series of accidents. Docket No. 195,816 alleges an accident occurring sometime in mid-to late April or early May of 1994 when claimant alleges she slipped on a wet surface on a ramp and fell backwards striking her left ankle, back, upper shoulder and neck. She did not seek medical treatment following this incident. She did suffer a scrape on her ankle which she bandaged herself. This accident is also described as having occurred on April 15, 1994.

Docket No. 195,817 alleges a series of accidents or minitraumas involving an aggravation of her condition each and every day worked from August 17, 1994 through September 6, 1994. This docketed claim covers injuries resulting from claimant's return to teaching duties for the fall 1994 semester. It includes injuries and aggravations from such work activities as setting up classrooms; climbing up and down stairs, scaffolds and ladders; reaching and carrying supplies.

Docket 195,818 likewise involves an alleged series of accidents from April 29, 1994 through May 27, 1994. This claim was verbally amended to allege a series beginning April 15, 1994 and is intended to cover a period from the slip-and-fall incident up through the end of the school year.

The Administrative Law Judge set forth his findings and conclusions in his Order Denying Compensation of February 27, 1995 in some detail and it is not necessary to repeat those herein. The Administrative Law Judge denied claimant's request for temporary total disability compensation and medical treatment benefits based upon his finding that more probably than not, claimant's current symptoms did not arise out of and in the course of her employment. The Appeals Board agrees with the findings and conclusions made by the Administrative Law Judge. Claimant has a long history of pre-existing medical problems. She continued to treat with health care providers during the spring, summer and fall of 1994 for these problems. Although she relates a worsening of her symptoms during this period, she did not relate these increased symptoms, nor the allegedly new symptoms, to her employment until approximately October of 1994. In fact, during this period she had on occasion specifically related her complaints to non-work related activities. On October 24, 1994 while in the hospital, she filled out an accident report on her employer's form alleging a slip-and-fall injury in April of 1994.

The medical records in evidence reference a variety of conditions, diagnoses and complaints; however, with the exception of Dr. Glenn O. Bair, they are consistent in not relating claimant's present condition to her employment. The Appeals Board understands that the claimant disputes much of the history contained in those records. Those histories and opinions based thereon can certainly be challenged and may, in fact, be changed by

the respective physicians when faced with additional information. Nevertheless, as the record currently exists, those medical records are persuasive evidence indicating that the claimant's condition is not work related. The Order denying benefits should, therefore, be affirmed.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the February 27, 1995 Order of Administrative Law Judge Floyd V. Palmer should be, and the same is hereby, affirmed.

IT IS SO ORDERED.

Dated this ____ day of October 1995.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: Derek J. Shafer, Topeka, KS
 Gregory J. Bien, Topeka, KS
 Floyd V. Palmer, Administrative Law Judge
 Philip S. Harness, Director